

## **MINUTES**

### **MONTANA SENATE 59th LEGISLATURE - REGULAR SESSION**

#### **COMMITTEE ON HIGHWAYS AND TRANSPORTATION**

00:00:01

**Call to Order:** By **CHAIRMAN GERALD PEASE**, on February 15, 2005 at  
3:00 P.M., in Room 405 Capitol.

#### **ROLL CALL**

##### **Members Present:**

Sen. Gerald Pease, Chairman (D)  
Sen. Jerry W. Black (R)  
Sen. John Brueggeman (R)  
Sen. Vicki Cocchiarella (D)  
Sen. Sam Kitzenberg (R)  
Sen. Jesse Laslovich (D)  
Sen. Frank Smith (D)  
Sen. Donald J. Steinbeisser (R)  
Sen. Dan Weinberg (D)

**Members Excused:** None.

**Members Absent:** None.

**Staff Present:** Todd Everts, Legislative Branch  
Peg Holwick, Committee Secretary

**Audio Committees:** These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

##### **Committee Business Summary:**

Hearing & Date Posted: SB 404, 2/11/2005; SJ 21,  
2/11/2005; SB 471, 2/11/2005; SR 3,  
2/11/2005; SJ 22, 2/11/2005;  
Executive Action: SB 304, SB 285, SJ 21, SJ 22,  
SB 404, SR 3, SB 471

**HEARING ON SB 404**

00:00:58

**Opening Statement by Sponsor:**

**SEN. DON RYAN (D), SD 10**, opened the hearing on **SB 404**, Require daytime use of headlights.

**Proponents' Testimony:**

00:03:48           **Mona Jameson, on behalf of General Motors**

00:05:58           **Donald Harr, M.D. on behalf of Montana Medical Association**

**Opponents' Testimony:** None.

**Informational Testimony:**

00:09:59           **John Blacker, Montana Department of Transportation (DOT)**

00:10:04

**Questions from Committee Members and Responses:**

00:17:16

**Closing by Sponsor:**

**HEARING ON SJ 21**

00:18:05

**Opening Statement by Sponsor:**

**SEN. GLENN ROUSH (D), SD 8**, opened the hearing on **SJ 21**, Urge continuation of Amtrak passenger rail service.

**Proponents' Testimony:**

00:25:27           **Brad Marseau, Department of Transportation (DOT)**

00:27:36           **Bob Stevens, on behalf of self**

00:30:50           **Jim Lynch, Director, DOT**

00:32:33           **SEN. BLACK, SD 14**

00:34:09           **SEN. WEINBERG, SD 2**

**Opponents' Testimony:** None.

**Informational Testimony:** None.

**Questions from Committee Members and Responses:** None.

00:35:30

**Closing by Sponsor:**

**HEARING ON SB 471**

00:40:24

**Opening Statement by Sponsor:**

SEN. GARY PERRY (R), SD 35, opened the hearing on **SB 471**, Require certain towing devices for towing a disabled vehicle on highways.

**Proponents' Testimony:** None.

**Opponents' Testimony:** None.

**Informational Testimony:** None.

00:40:46

**Questions from Committee Members and Responses:**

00:47:39

**Closing by Sponsor:**

**HEARING ON SR 3**

00:48:14

**Opening Statement by Sponsor:**

SEN. SAM KITZENBERG (R), SD 18, opened the hearing on **SR 3**, Urge widening of road from Scobey to Wolf Point.

**Proponents' Testimony:** None.

**Opponents' Testimony:** None.

**Informational Testimony:** None.

00:52:06

**Questions from Committee Members and Responses:**

01:00:00

SEN. STEINBEISSER for Jim Lynch, Director, DOT

01:01:36

**Closing by Sponsor:**

01:03:54            VICE CHAIRMAN, SEN. COCCIARELLA assumed the chair.

HEARING ON SJ 22

01:03:54

Opening Statement by Sponsor:

SEN. GERALD PEASE (D), SD 21, opened the hearing on SJ 22, Urge passage of well-funded highway bill.

Proponents' Testimony:

01:04:43            Jim Lynch, DOT

01:07:40            Spook Stang, Montana Motor Carriers Association

Opponents' Testimony: None.

Informational Testimony: None.

01:09:39

Questions from Committee Members and Responses:

01:16:23

Closing by Sponsor:

01:17:06            SENATOR PEASE resumed the chair.

EXECUTIVE ACTION ON SB 304

01:19:10

Motion: SEN. KITZENBERG moved that SB 304 DO PASS.

01:19:27

Discussion:

01:19:35    Jim Lynch, DOT, clarified amendments

[EXHIBIT](#)(his37a01)

01:25:17

Motion: SEN. BRUEGGEMAN moved that SB 304 amendments DO PASS.  
Motion carried unanimously by voice vote.

01:26:13

Discussion:

01:26:23

**Motion/Vote:** SEN. KITZENBERG moved that SB 304 DO PASS AS AMENDED. Motion carried unanimously by voice vote.

**EXECUTIVE ACTION ON SB 285**

01:28:38

**Motion:** SEN. COCCHIARELLA moved that SB 285 DO PASS.

01:28:38

**Discussion:**

**EXHIBIT**(his37a02)

01:29:27

**Motion:** SEN. COCCHIARELLA moved that SB 285 amendments DO PASS. Motion carried unanimously by voice vote.

01:29:31

**Discussion:** Amendments clarified by Todd Everts

**EXHIBIT**(his37a03)

01:33:53

**Motion/Vote:** SEN. COCCHIARELLA moved that SB 285 DO PASS AS AMENDED. Motion carried unanimously by voice vote.

**EXECUTIVE ACTION ON SJ 21**

01:34:37

**Motion/Vote:** SEN. BRUEGGEMAN moved that SJ 21 DO PASS. Motion carried unanimously by voice vote.

**EXECUTIVE ACTION ON SJ 22**

01:35:07

**Motion:** SEN. COCCHIARELLA moved that SJ 22 DO PASS.

01:37:54

**Discussion:**

01:38:38

**Motion/Vote:** SEN. COCCHIARELLA moved that SJ 22 DO PASS. Motion carried unanimously by voice vote.

EXECUTIVE ACTION ON SB 404

01:38:38

Motion: SEN. COCCHIARELLA moved that SB 404 DO NOT PASS.

01:39:10

Discussion:

01:39:41

Motion/Vote: SEN. BRUEGGEMAN moved that SB 404 BE TABLED. Motion carried unanimously by voice vote.

EXECUTIVE ACTION ON SR 3

01:41:14

Motion: SEN. SMITH moved that SR 3 DO PASS.

1:41:26

Discussion:

01:45:32

Motion/Vote: SEN. LASLOVICH moved that amendments on SR 3 DO PASS. Motion carried unanimously by voice vote.

01:46:14

Motion/Vote: SEN. LASLOVICH moved that SR 3 DO PASS AS AMENDED. Motion carried 7-2 by voice vote.

EXECUTIVE ACTION ON SB 471

01:46:14

Motion/Vote: SEN. COCCHIARELLA moved that SB 471 BE TABLED. Motion carried unanimously by voice vote.

01:48:51

**ADJOURNMENT**

Adjournment: 4:50 P.M.

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SEN. GERALD PEASE, Chairman

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PEG HOLWICK, Secretary

GP/ph

Additional Exhibits:

**EXHIBIT ([his37aad0.TIF](#))**